

**LAW OFFICE OF ROBERT E. DRESCHER
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Attorney for Plaintiff, Suzanne Mirzoyan

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

Suzanne Mirzoyan, an individual,

Plaintiff,

V.

DHI MORTGAGE COMPANY GP, INC.,
Delaware Corporation; DR HORTON, INC.
a Delaware Corporation; and DOES 1
through 50, Inclusive.

Defendants.

Case No.: CV07-296 ER (RCx)

Assigned to the Honorable
Judge Edward Rafeedie

**ATTORNEY'S MOTION TO
WITHDRAW AS COUNSEL OF
RECORD FOR THE PLAINTIFF**

TO ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD. NOTICE IS HEREBY GIVEN that Robert E. Drescher, Esq. attorney of record for Plaintiff, Suzanne Mirzoyan hereby requests the Court grant this motion to withdraw as Counsel of Record based on the following:

1. The Law Office of Robert E. Drescher represents Plaintiff, Suzanne Mirzoyan in the above entitled matter.

ATTORNEY'S MOTION TO WITHDRAW AS COUNSEL OF RECORD FOR THE PLAINTIFF

2. There has been an irremediable breakdown in the attorney client relationship which cannot be overcome or restored.
 3. The client fails to adhere to the advice and counsel offered to her.
 4. On several occasions the client has not responded to our communications and has been avoiding contact with our office.
 5. We served upon the client a letter explaining gravity of the situation, and advised her of her rights, and the importance of securing adequate counsel. (Attached hereto as **EXHIBIT “A”** in redacted form, is a true and correct copy of said letter, and proof of mailing.)
 6. Opposing counsel in the matter is aware of the situation and has been given adequate notice of Counsel’s intention to withdraw.

Based on the foregoing, Counsel for Plaintiff respectfully requests the Court GRANT Counsel's Motion to Be Relieved as Counsel for the Plaintiff, Forthwith.

Respectfully Submitted,

Date: May 6, 2008

LAW OFFICE OF ROBERT E. DRESCHER

By:

Robert E. Drescher, Esq.,
Attorney for Plaintiff, Suzzane Mirzoyan

....LAW OFFICE OF ROBERT E. DRESCHER....

Robert E. Drescher, Attorney at Law
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28494 Westinghouse Place, Suite 205
Valencia, CA 91355
Tel: (661) 260-1149
Fax: (661) 702-7985

April 21, 2008

VIA U.S. MAIL ONLY

Suzanne Mirzoyan
17648 W. Harris Way #103
Canyon Country, CA 91387

RE: Mirzoyan v. DHI Mortgage, et al
ATTORNEY - CLIENT CONFIDENTIAL COMMUNICATION

Dear Suzanne:

This letter will respond to your misunderstanding as to the status of your matter, identified above.

REDACTED

REDACTED

REDACTED

It was at this point I attempted to contact you and discuss the shortcoming of the matter with you. Rather than rationally discuss the matter you immediately became nasty and demanded that I provide you with the entire file and that you "needed time to think about what you wanted to do." I have no problem providing you with the entire file, please contact Debbie and arrange to pick up the file. However, by doing so you must agree to substitute me out as your attorney of record.

Your threats to file a complaint with the State Bar are both counter productive and clearly show your uncooperative nature. It was YOUR burden to show that the defendants committed fraud.

REDACTED

EXHIBIT "A"

Mirzoyan v. DR Horton
April 21, 2008
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REDACTED

As for your alleged lack of communications between me, my office and you regarding this case, we have had substantial problems getting a hold of you and have left several messages. You, in turn have left a few messages after hours, again making it very difficult to discussing the matter with you.

REDACTED

REDACTED

Please advise me as to your decision in this matter as soon as possible, but no later than 4:00pm, Wednesday, April 23, 2008.

Very truly yours,

LAW OFFICE OF ROBERT E. DRESCHER

By: DICTATED BUT NOT READ
Robert E. Drescher, Esq.

RED/dt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Suzanne Mirzoyan
 17648 W. Harris Way
 #103
 Canyon Country, CA
 91387

2. Article Type:

PS Form

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Jan Agent Addressee

B. Received by (Printed Name)

Suzanne Mirzoyan

C. Date of Delivery

*4-23*D. Is delivery address different from item 1? YesIf YES, enter delivery address below: No

3. Service Type

- | | |
|--|--|
| <input type="checkbox"/> Certified Mail | <input type="checkbox"/> Express Mail |
| <input checked="" type="checkbox"/> Registered | <input checked="" type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Insured Mail | <input type="checkbox"/> C.O.D. |

4. Restricted Delivery? (Extra Fee)

 Yes

02595-02-M-1540

PROOF OF SERVICE
1013a, 2015.5 CCP

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 28494 Westinghouse Place, Suite 205, Valencia, CA 91355.

On May 6, 2008, I served the foregoing document described as "ATTORNEY'S MOTION TO WITHDRAW AS COUNSEL OF RECORD FOR THE PLAINTIFF; PROPOSED ORDER GRANTING ATTORNEY'S MOTION TO WITHDRAW AS COUNSEL OF RECORD FOR THE PLAINTIFF " on the interested parties in this action by placing the original true copies thereof enclosed in a sealed envelope, addressed as follows:

David K. Schneider, Esq.
Yunker & Schneider
655 W Broadway Ste 1400
San Diego, CA, 92101

By US mail, I deposited such envelope(s) in the mail at Valencia, California, with postage thereon fully prepaid.

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at Valencia, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in affidavit.

By facsimile, I transmitted such documents from Valencia, California, to the offices of the addressee(s).

By personal service, I delivered such envelope(s) by hand to the office(s) of the addressee(s).

(State) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(Federal) I declare that I am employed in the office of a member of the Bar of this Court, at whose direction the service was made.

Executed on May 6, 2008, at Valencia, California.

Executed on May 6, 2008, at Valencia, California.

Yaron Moscowitz